UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

MUCCIO, LLC & J.F. KIELY CONSTRUCTION CO., AS A SINGLE EMPLOYER

and

Case 22-CA-100624

LOCAL 469 INTERNATIONAL BROTHERHOOD OF TEAMSTERS

ORDER¹

The petition to revoke subpoena ad testificandum A-956649 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Petitioners have failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., March 10, 2014.

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.